

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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____ Civ. _____ ()

Andrew Yang, et. al.,

Plaintiffs,

- against –

New York State Board of Elections,

Defendant.

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**EMERGENCY ORDER TO
SHOW CAUSE FOR
PRELIMINARY INJUNCTION
AND TEMPORARY
RESTRAINING ORDER**

Upon the affidavits of Andrew Yang, Jonathan Herzog, Hellen Suh, Brian Vogel, Shlomo Small, Alison Hwang, Kristen Medeiros, Dr. Roger Green and attorney Jeffrey M. Kurzon sworn to the 27th day of April, 2020 and the 28th day of April 28, 2020, and upon the copy of the complaint hereto annexed, it is

ORDERED, that the above-named defendant show cause before a motion term of this Court, at _____

_____, on

, _____, at _____ o'clock in the _____noon

thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendant during the pendency of this action from cancelling the June 23, 2020 Democratic Presidential Primary in New York State;

and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the defendant is temporarily restrained and enjoined from cancelling the June 23, 2020 Democratic Presidential Primary and must add the election back to the election calendar as if it were never cancelled;

and it is further

ORDERED that security in the amount of \$_____ be posted by the plaintiff prior to _____, _____, at _____ o'clock in the _____noon of that day; and it is further

ORDERED that service of a copy of this order and annexed affidavit upon the defendant or his counsel by mail to NYS Board of Elections, 40 North Pearl Street, Suite 5, Albany, NY 12207-2729 and via email to enforcement@elections.ny.gov on or before o'clock in the _____noon, _____, _____, shall be deemed good and sufficient service thereof.

DATED: New York, New York

ISSUED: _____M

United States District Judge